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UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Browning, *et al.*

Serial No.: 09/767370

Filed: January 23, 2001

For: METHOD FOR THE HIGH LEVEL  
EXPRESSION OF ACTIVE LYMPHOTOXIN-  
BETA RECEPTOR IMMUNOGLOBULIN  
CHIMERIC PROTEINS AND THEIR  
PURIFICATION

Attorney Docket No.: BGNA054

Group Art Unit: 1642

Examiner: C.H. Yaen

RECEIVED

FEB 27 2003

TECH CENTER 1600/2900

Commissioner for Patents  
Washington, D.C. 20231

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February 13, 2003

Date of Signature and of Mail Deposit

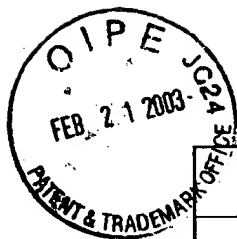
By:

Debra J. Mitasincic, Esq.

AMENDMENT AND RESPONSE

Dear Sir:

This Amendment and Response is responsive to the Office Action dated August 13, 2002 (Paper No.14). A request for the appropriate extension of time in which to respond is being filed concurrently herewith. Applicants note that a Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney will be filed in due course. Responsive to the Office Action, please amend the above-identified patent application as follows:



1642/8

AMENDMENT TRANSMITTAL LETTER				Docket No. BGNA054	
Application No. 09/767370		Filing Date January 23, 2001		Examiner C. Yaen	
				Art Unit 1642	
Applicant(s): Jeffrey Browning, et al					
Invention: Method For The High Level Expression of Active Lymphotoxin-Beta Receptor Immunoglobulin Chimeric Proteins and Their Purification					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application. Also enclosed is an amended Figure 11A, a supplemental IDS, PTO form 1449, and copies of all publications cited therein.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	<b>RECEIVED</b> FEB 27 2003 TECH CENTER 1600/2000
Total Claims		- 20 =		x	
Independent Claims		- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):				Extension for response within third month; Submission of a supplemental Information Disclosure Statement.	1,110.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					1,110.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input checked="" type="checkbox"/> Please charge Deposit Account No. <u>12-0080</u> in the amount of \$ <u>1,110.00</u> . A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
Debra J. Milasincic, Esq. Reg. No.: 46,931 For Amy E. Mandragouras Esq. Reg. No.: 36,207				Dated: <u>February 13, 2003</u>	
LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400					
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.					
Dated: February 13, 2003		Signature: <u>(Debra J. Milasincic)</u>			



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PTO/SB/17 (01-03)

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# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,110.00

## Complete if Known

Application Number 09/767370  
Filing Date January 23, 2001  
First Named Inventor Jeffrey Browning  
Examiner Name C. Yaen  
Group Art Unit 1642  
Attorney Docket No. BGNA054

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 12-0080

Deposit Account Name Lahive & Cockfield, LLP

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20** =	x	=	
Independent Claims	-3** =	x	
Multiple Dependent		=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	930.00
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,110.00

## SUBMITTED BY

Name (Print/Type) Debra J. Milasincic  
For Amy E. Mandragouras

Signature

Registration No. (Attorney/Agent)

46,931

36,207

## Complete (if applicable)

Telephone (617) 227-7400

Date February 13, 2003

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Dated: February 13, 2003

Signature:

(Debra J. Milasincic)